

# GRANT COUNTY

## CONSERVATION, SANITATION AND ZONING DEPT

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### SPECIAL EXCEPTION PERMIT, {SEP} APPLICATION PROCEDURES

#### FEE: \$100.00

The following is a review of the overall procedure involved in applying for a Special Exception Permit. This review is not meant to be all-inclusive for all cases, but will provide an idea of what processes and materials are needed to complete your Special Exception Permit Application. The Conservation, Sanitation & Zoning Dept. staff will answer questions about the application, but the staff cannot be responsible for any defects that may arise in your application nor provide you with legal advice.

**Public hearings:** A Special Exception Permit requires a public hearing before the Town the property is located in, then the Grant County Board of Adjustments. Board of Adjustment hearing are scheduled on a first come, first served basis and are held at the Grant County Administrative Building or the Conservation, Sanitation & Zoning Dept. Building.

**This packet contains:** 1- A SEP Application form, 2- A SEP Application Data form, 3- A Request for Town Participation form.

**Application:** A completed Special Exception Permit application must be signed by the current property owner(s) seeking zoning relief, then submitted {with fee} to the Grant County CSZ Dept. before a public hearing date can be scheduled.

The Town Participation Form must be completed by the town then submitted to the CSZ Dept. prior to the BOA hearing.

**If the town Participation Form is not received and accepted by the CSZ Dept. in time for the Board of Adjustments hearing and request is postponed as a result, the applicant shall be required to pay another application fee.**

On the Special Exception Permit application under Property Location, the complete legal description of the property is required including the Tax Parcel ID number.

If the legal description is too large for the space provided it may be attached as a second page to the application.

The legal description can be obtained from the following: (1) Property tax bill, (2) Plat of survey, (3) Title policy.

The application must be signed by all property owner(s) of record and only the original documents are accepted, no copies of faxes.

If an agent is to sign the application, written proof of agent authority is required to accompany the application.

If the property is in a Trust the Trustee must sign the application and provide proof of authority with the names and address of all those with a beneficial interest in the Trust.

Please include a day time phone number on the application so we may reach you for questions or additional information.

**At the BOA hearing** the petitioner, petitioner's attorney or agent must attend the public hearing and present testimony.

The BOA does not require that the petitioner have an attorney; however they may be represented by one if they wish. The presentation can be of any length and can involve any additional materials that are relevant to the special exception permit request, although the Board of Adjustment would prefer that all presentations be kept as short as possible. The rationale for zoning relief must be given in narrative form by the petitioner with information provided that the proposed special exception permit and associated structures will not be hazardous, harmful, offensive, or otherwise adverse to the environment or the community.

The order of presentation will be:

(1) – CSZ staff findings, (2) – Petitioners presentation, (3) – Persons in support, (4) – Persons in opposition

Supporting documents may include a detailed plot plan, operational plans, engineering plans, topographical maps, floodplain hydraulic analyses, flood-proofing and other specification.

All materials presented as evidence and exhibits by the petitioner will be marked and retained by the Board of Adjustment.

All questions arising from the public shall be directed to the Board of Adjustments Chairperson.

#### Standards applicable to all Special Exception Permits:

In concerting a Special Exception Permit, the Board of Adjustment shall evaluate the effects of the proposed use upon:

- (A) The maintenance of safe and healthful conditions;
- (B) The prevention and control of water pollution including sedimentation;
- (C) Existing topographic and drainage features and vegetative cover on the site;
- (D) The location of the site with respect to floodplains and floodways of rivers or streams;
- (E) The erosion potential of the site based upon degree and direction of slope, soil type and vegetative cover;
- (F) The location of the site with respect to existing or future access roads;
- (G) The need of the proposed use for a shore-land location;
- (H) Its compatibility with uses on adjacent land;
- (I) Location factors under which;
  - 1. Domestic uses shall be generally preferred;
  - 2. Uses not inherently a source of pollution within an area shall be preferred over uses that are or may be a pollution source;
  - 3. Use locations within an area tending to minimize the possibility of pollution shall be preferred over use locations tending to increase the possibility.

**Board Decision:** Following each Board of Adjustment Hearing and assuming no extenuating circumstances accrue, the Board of Adjustment will announce their decision.

# GRANT COUNTY SPECIAL EXCEPTION PERMIT {SEP} APPLICATION

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Phone: 608-723-6377 X4

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Office use:			
Tax Parcel #	_____	Fee Paid \$	_____ Date Received: _____
County Zoning District:	_____	SPO Zoning District:	_____ FIRM/Flood Study: _____

## Applicant:

Owner(s) Name \_\_\_\_\_

\_\_\_\_\_

Mailing Address \_\_\_\_\_

\_\_\_\_\_

Phone# \_\_\_\_\_

## Property Location:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 Section, \_\_\_\_\_ T \_\_\_\_\_ N R \_\_\_\_\_ W

Lot \_\_\_\_\_ Block \_\_\_\_\_ Addition \_\_\_\_\_

Subdivision/CSM# \_\_\_\_\_

Town of \_\_\_\_\_

## Special Exception Permit request:

Tax Parcel # \_\_\_\_\_

As provided in Section # \_\_\_\_\_ of the Grant County \_\_\_\_\_ Ordinance,

A Special Exception Permit is requested so that the following use or activity may be allowed: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Explain why the proposed Special Exception Permit will not harm the general public interest: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**If zoned (Farmland Preservation), is the property under any Farmland Preservation Tax Credit Program? Yes or No**

**IMPORTANT:** An attached plot plan or location sketch drawn to scale or with dimensions is **required** showing the location, boundaries, uses and sizes of all existing and proposed structures, property lines, roads, and road right-of-way lines, easements, driveways and all other pertinent features. If a land division is proposed as part of the request a survey map prepared by a licensed Surveyor is required. In preparing this application if additional space is needed to present your request and/or explanation you may use the back of this form or attach an additional page.

**NOTE:** When requesting a Special Exception Permit, the applicant must provide information that the proposed Special Exception Permit, associated activity and structures will not be hazardous, harmful, offensive, or otherwise adverse to the general welfare of the community.

Depending on the request, in addition to the Town and property owners within 300 ft., this request may be forwarded to the following entities: {1} WDNR {2} WDOT {3} DATCP {4} Property owner associations.

A SEP granted by the Board of Adjustment shall expire within one (1) year unless substantial work has commenced.

**IMPORTANT:** If the town Participation Form is not received and accepted by the CSZ Dept. prior to the Board of Adjustment hearing and the request is postponed as a result, the applicant will be required to pay another application fee.

I/We the undersigned are applying for a Special Exception Permit and I/We hereby state that the information on this application, the attached plot plan and materials presented pursuant to this Special Exception Permit application are accurate. I/We the undersigned property owner(s) hereby grant permission to Grant Co. CSZ Dept. staff to enter upon the above described property at their discretion during normal working hours to acquire information pursuant to this request. I/We the undersigned property owner(s) hereby grant permission for the Board of Adjustments hearing to be held on the above described property at the discretion of the Board of Adjustments Chairperson.

Property Owner(s) Signature \_\_\_\_\_

Date \_\_\_\_\_

# GRANT COUNTY CONSERVATION, SANITATION AND ZONING DEPARTMENT

## REQUEST FOR TOWNSHIP PARTICIPATION

### LAWS REGARDING COMPREHENSIVE PLANS:

Wisconsin Statute 66.1001(3) ACTIONS, procedures that must be consistent with comprehensive plans. Beginning on January 1, 2010, land-use decisions made by local governmental units shall be consistent with that local governmental unit's Comprehensive Plan.

#### Section – 1

#### APPLICANT COMPLETES SECTION - 1

To the request for (Name) \_\_\_\_\_ to be granted a:

↓ Check request type: (Note in some cases a Zoning District Change may include a Comp. Plan Map Change)	Brief description of request ↓
_____ ZONING DISTRICT CHANGE →	_____
_____ COMP. PLAN MAP CHANGE →	_____
_____ CONDITIONAL USE →	_____
_____ VARIANCE →	_____
_____ SPECIAL EXCEPTION →	_____

For the property: Tax Parcel# \_\_\_\_\_ - Property Address \_\_\_\_\_

**APPLICANT:** *To get this form completed by the Town, have your request placed on the Town Board Meeting Agenda. To ensure that the CSZ Committee or the Board of Adjustment will hear your request, be sure to return this completed form with your application.*

#### Section – 2

#### TOWN BOARD: PLEASE COMPLETE SECTION - 2

----- **Questions 1 thru 4 must be answered to validate the document** -----

**CIRCLE ONE**

- 1 - Does the town have any regulations (town ordinance) that would apply to the request? -----**      **Yes**      **No**
- If yes – please explain: \_\_\_\_\_
- 2 - Is the request consistent with the Towns Comprehensive Plan objectives and policies? -----**      **Yes**      **No**      **N/A**
- 3 – If the request is not consistent with the Towns Comprehensive Plan,**  
**Does the Town wish to amend the Comprehensive Plan to allow the request? -----**      **Yes**      **No**      **N/A**
- 4 - Does the town wish to allow the request to change the Zoning District only? -----**      **Yes**      **No**      **N/A**

**THE TOWN OF** \_\_\_\_\_ **TOWN BOARD ON THIS DATE** \_\_\_\_\_

☐ **DOES NOT OBJECT TO THE REQUEST**

☐ **OBJECTS TO THE REQUEST**

**Board Vote:**      **Number In-Favor** \_\_\_\_\_      **Number Apposed** \_\_\_\_\_      **Number Abstained** \_\_\_\_\_

**Reason(s) for the town board decision:** \_\_\_\_\_

\_\_\_\_\_  
CHAIRMAN

\_\_\_\_\_  
CLERK

\_\_\_\_\_  
SUPERVISOR

\_\_\_\_\_  
SUPERVISOR

UPON COMPLETION RETURN TO APPLICANT